

House File 417 - Introduced

HOUSE FILE _____
BY REICHERT

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning procurement of products manufactured by Iowa
2 state prison industries.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1818YH 83
5 ec/rj/14

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1 1 Section 1. Section 8A.122, subsection 3, Code 2009, is
1 2 amended to read as follows:
1 3 3. ~~The Except for purchasing products pursuant to a master~~
1 4 ~~purchasing contract negotiated pursuant to section 8A.313,~~
1 5 ~~subsection 2, the state board of regents shall not be required~~
1 6 ~~to obtain any service for the state board of regents or any~~
1 7 ~~institution under the control of the state board of regents~~
1 8 ~~that is provided by the department pursuant to this chapter~~
1 9 ~~without the consent of the state board of regents.~~

1 10 Sec. 2. Section 8A.313, Code 2009, is amended to read as
1 11 follows:

1 12 8A.313 ~~DISPUTES INVOLVING PURCHASING FROM IOWA STATE~~
1 13 ~~INDUSTRIES == DISPUTES == EXCEPTIONS.~~

1 14 1. Disputes arising between the department of corrections
1 15 and a purchasing department or agency over the procurement of
1 16 products from Iowa state industries as described in section
1 17 904.808 shall be referred to the director. The decision of
1 18 the director is final unless a written appeal is filed with
1 19 the executive council within five days of receipt of the
1 20 decision of the director, excluding Saturdays, Sundays, and
1 21 legal holidays. If an appeal is filed, the executive council
1 22 shall hear and determine the appeal within thirty days. The
1 23 decision of the executive council is final.

1 24 2. ~~The department shall have the authority to negotiate,~~
1 25 ~~on a competitive basis, master purchasing contracts concerning~~
1 26 ~~products subject to the requirements of section 904.808.~~
1 27 ~~State agencies shall, and governmental subdivisions may,~~
1 28 ~~purchase products pursuant to a master purchasing contract~~
1 29 ~~negotiated pursuant to this subsection and such a purchase~~
1 30 ~~shall be deemed to satisfy any otherwise applicable~~
1 31 ~~competitive bidding requirements.~~

1 32 Sec. 3. Section 904.808, subsection 1, Code 2009, is
1 33 amended by adding the following new paragraph:
1 34 NEW PARAGRAPH. c. When the purchase is made through a
1 35 master purchasing contract negotiated by the department of
2 1 administrative services pursuant to section 8A.313, subsection
2 2 2.

2 3 Sec. 4. DEPARTMENT OF ADMINISTRATIVE SERVICES == MASTER
2 4 FURNITURE CONTRACT.

2 5 1. The department of administrative services shall, as
2 6 soon as practicable, utilize a request for proposals process
2 7 to negotiate a master purchasing contract pursuant to section
2 8 8A.313 to allow governmental entities to purchase furniture.

2 9 2. Iowa state prison industries shall be permitted to bid
2 10 on the request for proposals and the request for proposals
2 11 shall express a preference for awarding a contract to an
2 12 Iowa-based furniture manufacturer consistent with the
2 13 preference requirements of section 8A.311, subsection 1. In
2 14 addition, the master contract shall, if practicable, allow a
2 15 governmental entity the authority to request additional bid
2 16 pricing from the manufacturer if the expected cost of the
2 17 purchase exceeds a threshold amount as provided in the
2 18 contract. The master contract shall provide that governmental
2 19 entities, as defined in section 8A.101, shall be allowed to
2 20 purchase products included in the contract.

EXPLANATION

2 21
2 22 This bill concerns the purchase of products currently
2 23 manufactured by Iowa state prison industries.
2 24 Code section 8A.313 is amended to authorize the department
2 25 of administrative services to negotiate master purchasing
2 26 contracts for products currently manufactured by Iowa state
2 27 prison industries. The bill also provides that if a master
2 28 purchasing contract is negotiated, state agencies shall, and
2 29 governmental subdivisions may, purchase the product based on
2 30 the contract. Code section 8A.122 is amended to provide that
2 31 the state board of regents and any institution under the
2 32 control of the regents shall be required to purchase from the
2 33 master contract regardless of whether the regents have given
2 34 their consent.
2 35 The bill also requires the department of administrative
3 1 services, as soon as practicable, to utilize a request for
3 2 proposals process to negotiate a master purchasing contract
3 3 for furniture. The bill provides that Iowa-based
3 4 manufacturers shall be preferred if otherwise comparable in
3 5 price and that Iowa state prison industries shall be allowed
3 6 to bid on the contract.
3 7 LSB 1818YH 83
3 8 ec/rj/14